

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

BERIHU H. FKADU,	)	
	)	
Plaintiff(s),	)	No. C 09-4691 CRB (PR)
	)	
vs.	)	ORDER OF DISMISSAL
	)	
EDWARD FOULK, et al.,	)	
	)	
Defendant(s).	)	
_____	)	

Plaintiff filed an amended complaint for damages under 42 U.S.C. § 1983 challenging the conditions of his confinement at Napa State Hospital.

Per order filed on March 19, 2010, the court dismissed the amended complaint with leave to amend to allege specific facts showing how each of the named defendants actually and proximately caused the deprivation of the federally protected rights of which plaintiff complains. "Put simply," the court noted, "plaintiff must explain how each defendant did or failed to do what he claims they did or failed to do." Mar. 19, 2010 Order at 2. The court made clear that failure to file a proper amended complaint within 30 days would result in the dismissal of this action.

1 More than 40 days have passed and plaintiff has not filed an amended  
2 complaint or sought an extension of time to do so. The action is dismissed for  
3 failure to state a claim under the authority of 28 U.S.C. § 1915A(b). The clerk  
4 shall enter judgment in accordance with this order and close the file.

5 SO ORDERED.

6 DATED: April 30, 2010

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8 CHARLES R. BREYER  
9 United States District Judge  
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